

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff,


v.


Civil No. 98-2329 (JAF)

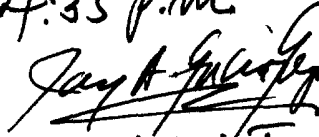
Consent Judgment

A) ALL CORPORATE ASSETS OF HACIENDA SABANERA-CIUDAD CABALLISTICA, INC., INCLUDING BUT NOT LIMITED TO ALL RECORDS, BANK ACCOUNTS, ACCOUNTS RECEIVABLE, AND THE FOLLOWING LAND LOT TOGETHER WITH ALL ITS ATTACHMENTS, IMPROVEMENTS AND APPURTENANCES THEREON, MORE FULLY DESCRIBED AT THE PUERTO RICO PROPERTY REGISTRY AS FOLLOWS:

RUSTICA: Situado en el Barrio Montellanos del termino municipal de Cidra, Puerto Rico, con una cabida de 25 [cuerdas] segun titulo, pero segun mensura hecha por Agrimensor Eduardo N. Perez en junio 22 de 1968 tiene una cabida de 27 cuerdas con 5,043 (27.5043) cuerdas, colinda NORTE, con Teodoro Fajardo y el Lago de Cidra; por el ESTE, con Milton R. Martinez; por el SUR, con Arturo Costa; y por el OESTE, con Alfonso Reyes esta bordeada en su colindancia Este y parte del Sur por camino privado. Tiene acceso a Carretera Estatal.

 This property is encumbered by the following lien:

 HIPOTECA: A favor de Tomas Rodriguez Diaz, por \$716,665.30, con intereses al 8% anual, vence el 1 de Agosto de 2010, se tasa en \$1,300,000.00, segun consta

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de la escritura #40, otorgada en Cidra, Puerto Rico, el día 26 de Agosto de 1995, ante el Notario Publico Jorge Melendez Artau, inscrito al folio #27vto del tomo #109 de Cidra, finca #4538, inscripcion 4ta.

B) ALL CORPORATE ASSETS OF THE ROSE, INC., INCLUDING BUT NOT LIMITED TO THE ONGOING BUSINESS KNOWN AS "HOTEL D'ROSE" WITH ALL RECORDS, BANK ACCOUNTS, ACCOUNTS RECEIVABLE AND THE FOLLOWING LAND LOT TOGETHER WITH ALL ITS ATTACHMENTS, IMPROVEMENTS AND APPURTENANCES THEREON, MORE FULLY DESCRIBED AT THE PUERTO RICO PROPERTY REGISTRY AS FOLLOWS:

RUSTICA: Predio de terreno radicado en el Barrio San Antonio del termino municipal de Caguas, Puerto Rico, compuesto de 7.02 cuerdas, equivalentes a 27,591.41 metros cuadrados. En lindes por el NORTE, con terrenos de Angelina Gonzalez, en una alineacion con una distancia total de 90.21 metros cuadrados; por el Sur, con terrenos de la Autoridad de Carreteras, en una alineación con una distancia total de 90.21 metros cuadrados; por el ESTE, con Carretera #175, con una distancia de 143.24 metros cuadrados, con terrenos de la Autoridad de Carreteras, en una alineacion, con una distancia total de 157.23 metros y por el OESTE, con terrenos de Angelina Gonzalez, en una distancia total de 407.72 metros cuadrados.




Inscrita en Registro de la Propiedad de Caguas, al folio 261 del tomo 1076 de Caguas, finca # 31,466, inscripcion 15 in favor of The Rose, Inc.

This property is encumbered by the following liens:

HIPOTECA: A favor de Hotel El Mirador Del Lago, Inc., o a su orden, por \$330,000.00, con intereses al 8% anual, no se expresa vencimiento, se tasa en \$339,900.00, segun consta de la escritura #7, otorgada en San Juan, Puerto Rico, el dia 1 de Marzo de 1983, ante el Notario Publico A. Rivera Valdivieso.

C) ALL CORPORATE ASSETS OF MILDRED, INC., INCLUDING BUT NOT LIMITED TO THE ONGOING BUSINESS KNOWN AS "FARMACIA EL CONQUISTADOR", TOGETHER WITH ALL RECORDS, BANK ACCOUNTS, AND ACCOUNTS RECEIVABLE.

D) ONE URBAN LOT LOCATED AT KM 0 HM 7, RD #1 RUTA 796, SECTOR GUASABARA, CAGUAS, PUERTO RICO, MORE FULLY DESCRIBED AT THE PUERTO RICO PROPERTY REGISTRY AS FOLLOWS:



URBANA: Parcela de terreno radicada en el BARRIO BAIROA del termino municipal de Caguas, Puerto Rico, con una cabida superficial de 5,086.20 metros cuadrados que colinda por el Norte, con Antonio Rojas en dos alineaciones que hacen 44.987 metros; por el Sur, en dos alineaciones en forma de arco de 50.255 metros con camino municipal; por el Este, en una distancia de 104.404 metros con parcela No. 6;

y por el Oeste, en distancia de 144.36 metros con el remanente de la finca principal.

TRACTO REGISTRAL: Se segrega de la finca No. 38894, inscrita al folio 192 del tomo 1130 de Caguas.

Finca No. 43783 inscrita al folio 61 del tomo 1245 del Registro de la Propiedad de Caguas, Sección I.

E) ONE RURAL LOT LOCATED AT #344 CAMINO EL CAPA, CUPEY BAJO, TRUJILLO ALTO, PUERTO RICO, MORE FULLY DESCRIBED AT THE PUERTO RICO PROPERTY REGISTRY AS FOLLOWS:

RUSTICA: Parcela de Terreno radicada en el Barrio Las Cuevas del termino municipal de Trujillo Alto con una cabida de dos cuerdas con 904 milésimas de otra equivalentes a 11.412 metros con 89 centímetros de otro y colinda por el Norte, en toda su extension con el area de 683.11 centímetros cuadrados dedicada a uso publico y que la separa del camino capa, por el Sur, con la quebrada Chini-Chini, por el Este, en una distancia de 182.89 centimos de otro con la parcela B y por el Oeste, en una distancia de 182.56 metros con terrenos de Ada Malaret. Casa valorada en \$25,000.00.



This property is inscribed in the Puerto Rico Property Registry of San Juan,

Section IV, at page 181-182 of volume 84, property no. 3812.

Se segrega de la finca #2639 inscrito al folio #223 del tomo #49 de Trujillo Alto. Listed in favor of Francisco Antonio

Rivera Rubio casado con Josefa Diaz,
Privativo de el.

This property is encumbered by the
following lien:

Hipoteca: A favor del First Federal
Savings and Loan Association o a su
orden, por \$16,000.00 con intereses al
7% anual, vence el 1 de Enero de
1991, se tasa en \$20,800.00, credito
ejecutivo 10%, segun consta de la
escritura #765, otorgada en San Juan,
Puerto Rico, el dia 13 de Septiembre de
1965, ante el Notario Publico Ernestina
Sepulveda, inscrito al folio #30 del tomo
#84 de Trujillo Alto, finca #3812,
inscripcion 2da.

F) ONE HORIZONTAL PROPERTY
LOCATED AT COND. LAGUNA
GARDENS, APT. 2L BLDG. #1,
CAROLINA, PUERTO RICO, MORE
FULLY DESCRIBED AT THE PUERTO
RICO PROPERTY REGISTRY AS
FOLLOWS:

URBANA: HORIZONTAL PROPERTY:
Residential apartment no. 2-L, located in
LAGUNA GARDENS, CONDOMINIUM I,
at Kilometer 8, Hectometer 2 of State
Road No. 26 in the Ward of Cangrejo
Arriba, Municipality of Carolina, Puerto
Rico, with a total private area of 1,137.00
square feet (gross) bounded as follows:
by the North and on the South, in 25' 6"
by each side respectively with apartment
2-K and yard area of elevator shaft; and
by the East and on the West, in 42' 8" by
each side respectively with corridor of the
floor and yard and garden areas. Its
main door has access to the corridor of
the floor. The above measures are
respectively equivalent to 105.74 square
meters; 13.00 meters and 7.77 meters.




This family unit consists of the following rooms: living-dining, terrace facing West (San Jose Lagoon), three bedrooms with one closet, hall with one linen closet, two bathrooms each with bathtub, lavatory and water closet, kitchen with single bowl sink, electric range and oven, laundry facilities including washer machine, dryer machine and laundry tray, one general storage closet, space for refrigerator and service counter, a 60 gallon water heater and exhaust grill in each bathroom and kitchen.

This property is inscribed in the Property Registry of Carolina, Section I, volume 314, page 125, property no. 11919.

TRACTO REGISTRAL: Se separa del Condominio Laguna Gardens Condominium I, finca No. 21441, inscrita al folio 166 del tomo 529 de Carolina, inscrita a favor de Roberto A. Lozada Prieto.

This property is encumbered by the following lien:

HIPOTECA: Por la suma principal de \$47,800.00 en garantia de un pagare a favor de SOUTHERN MORTGAGE, INC., o a su orden, con intereses al 8-1/2% anual y vencimiento el 1ro. de octubre del 2016, constituida mediante la escritura No. 291 otorgada en San Juan el 2 de octubre del 1986, ante Francisco Diaz Herrero, inscrita al folio 124 del tomo 314 de Carolina, finca No. 11919, inscripcion 5a.



G) ALL MONIES HELD AT ALL AMERICA INVESTMENTS ACCOUNT #PN00208251 IN THE NAME LUIS R. QUINTANA.


H) ALL MONIES HELD AT PERSHING
DIVISION OF DONALDSON, LUFKIN
AND JENRETTE SECURITIES
CORPORATION (PERSHING)
ACCOUNT #7CC038095 IN THE NAME
OF LUIS RAUL QUINTANA AGUAYO
AND AWILDA SUAREZ CASTRO.

I) ALL MONIES HELD AT PERSHING
DIVISION OF DONALDSON, LUFKIN
AND JENRETTE SECURITIES
CORPORATION (PERSHING)
ACCOUNT #7CC038046 IN THE NAME
OF LUIS RAUL QUINTANA AGUAYO
AND AWILDA SUAREZ CASTRO.

J) ALL MONIES HELD AT RG
PREMIER BANK OF PUERTO RICO
ACCOUNT #4020059708 IN THE NAME
OF QUINTANA AGUAYO.

K) ALL MONIES HELD AT BANCO
POPULAR DE PUERTO RICO
ACCOUNT #443256352 IN THE NAME
OF LUIS R. QUINTANA AGUAYO.

L) ALL HORSES OWNED IN WHOLE
OR IN PART BY LUIS R. QUINTANA
AGUAYO AND/OR HACIENDA
SABANERA-CIUDAD CABALLISTICA,
INC., TOGETHER WITH ALL THEIR
RECORDS, REGISTRATIONS,
CERTIFICATIONS, AND/OR ANY
DOCUMENTS PERTAINING TO THE
SAME, INCLUDING BUT NOT LIMITED
TO THE FOLLOWING:

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1. Polvora de Terremoto, registry
number 91-264; owner, Hacienda
Sabanera.
 2. Serenata de La R., registry number
93-172; owner, Luis QUINTANA.


3. The Rose, registry number 91-174; owner, Hacienda Sabanera.
4. Recuerdo Del Universo, registry number 89-009; owner Hacienda Sabanera.
5. Constituyente, registry number 94-132; owner Hacienda Sabanera.
6. Constantino, registry number 95-033; owner, Hacienda Sabanera.
7. Caribeña de Constitución, registry number 95-019; owner Hacienda Sabanera.
8. Carraízo de La R., registry number 95-020; owner, Hacienda Sabanera.
9. El Profeta de Los Naranjo, registry number 90-126; owners Luis QUINTANA, Michel DACCAH and Jose VALLEJO.
10. Emiliano Zapata (CN), registry number 93-070; owner, Hacienda Sabanera.
11. Hechicera de Capuchino, registry number 94-164; owner, Hacienda Sabanera.
12. Hechizada, registry number 91-265; owner, Hacienda Sabanera.
13. Mangurita, registry number 1345; owner, Luis QUINTANA.
14. La Mala, registry number 89-092, owner, Luis QUINTANA.
15. La Melodia de La Esperanza, registry number 91-278; owner, Luis QUINTANA.
16. La Rutina, registry number 95-022; owner, Hacienda Sabanera.
17. La Tormenta, registry number 95-076; owner, Hacienda Sabanera.
18. La Tuna, registry number 90-013; owner, Luis QUINTANA.
19. Libertad de Noruega, registry number 91-263; owner, Hacienda Sabanera.
20. La Fechoria, a mare with unknown registry number.
21. Vanessa de Sabanera, a mare with unknown registry number.



Defendants.

CONSENT JUDGMENT

The parties to this action have filed a Stipulation for Consent Judgment setting forth their agreement on the remaining issues in this case, thereby putting an end to this case. The Court has reviewed the proposed agreement and finds it to be fair and equitable under the circumstances of this case. Therefore, in the interest of judicial economy, and pursuant to the parties' request, the Stipulation for Consent Judgment is hereby Approved and Judgment is hereby entered in accordance with the terms and conditions therein.

Now, upon stipulation signed by all the parties, It is hereby ORDERED AND ADJUDGED that Defendant Property A, more fully described in the caption, be forfeited to the United States of America, and no right, title or interest in this property shall exist in any other party. Defendant Property A shall be disposed of according to the law by the United States Marshals Service. The Property Registrar is specifically ORDERED to  record Defendant Property A in the name of the United States of America free and clear of all liens and encumbrances.

It is also ORDERED AND ADJUDGED that the United States release to claimants Defendant Properties B, C, D, E, F, G, H, I, J, K , and L more fully described in the caption, upon entry of this Consent Judgment. The Property Registrar is specifically ORDERED to lift the cautionary notices filed by the United States over Defendant Properties B, D, E, and F.

It is further ORDERED AND ADJUDGED that All American Investments, as custodian of Defendant Property G, will issue a check for the balance of the account (\$3,536.01 as of December 7, 2001) to the order of Secretario, Departamento de Hacienda. Moreover, Santander Securities, as custodian of Defendant Properties H and I, will issue a check for the balance of the accounts (\$167,050.03 and \$716,464.54,

respectively, as of December 7, 2001) to the order of Secretario, Departamento de Hacienda. Lastly, the United States Marshal Service, as custodians to Defendant Properties J and K, will issue a check for the total amount of \$31,498.32 to the order of Secretario, Departamento de Hacienda. If after full payment to the Departamento de Hacienda, any balance remains in the Defendant Properties G, H and I, such balance will be payable to claimant Luis Quintan Aguayo.

It is further ORDERED AND ADJUDGED that the United States file a motion to withdraw its claim in state court case civil number 98-1181 (1103), an eminent domain action against a portion of Defendant Property E.

It is further ORDERED AND ADJUDGED that this Consent Judgment shall be firm, final, unappealable, and considered as res judicata of any claims arising out of this captioned matter, once it is entered on docket.

It is further ORDERED AND ADJUDGED that each party shall bear its own costs, expenses and attorneys' fees.

Finally, it is ORDERED AND ADJUDGED that all other terms and conditions of the Stipulation for Consent Judgment signed by the parties are hereby approved in their entirety and made part of this Consent Judgment as if fully stated herein.

IT IS SO ORDERED, ADJUDGED, AND DECREED

In San Juan, Puerto Rico this 11th day of January, 2002.


JAY A. GARCIA GREGORY
UNITED STATES DISTRICT JUDGE